

In removal proceedings under section 238(b) of the Immigration and Nationality Act

File No: A77 627 392

To: Jiang Diang DONG a/k/a Fei CHAN

c/o FCI Schuylkill

Address: P.O. Box 700, Minersville

PA 17954

(Number, street, city state and ZIP code)

Telephone: _____

(Area code and phone number)

Pursuant to section 238(b) of the Immigration and Nationality Act (Act), 8 USC 1228(b), the Immigration and Naturalization Service (Service) has determined that you are amenable to expedited administrative removal proceedings. The determination is based on the following allegations:

1. You are not a citizen or national of the United States.
2. You are a native of People's Republic of China and a citizen of the People's Republic of China.
3. You entered the United States (at)(near) an unknown location on or about an unknown date.
4. At that time, you entered without inspection by an Immigration officer.
5. You are not lawfully admitted for permanent residence.
6. You were, on June 23, 1999, convicted in the Southern District Court of New York for the offense of interference/ commerce by threat in violation of Title 18 USC Section 1951 (racketeering) for which the term of imprisonment imposed was thirty months.

Charge:

You are deportable under section 237(a)(2)(A)(iii) of the Act, 8 USC 1227(a)(2)(A)(iii), as amended, because you have been convicted of an aggravated felony as defined in section 101(a)(43) of the Act, 8 USC 1101(a)(43).

Based upon section 238(b) of the Act, the Service is serving upon you this NOTICE OF INTENT TO ISSUE A FINAL ADMINISTRATIVE REMOVAL ORDER ("Notice of Intent") without a hearing before an Immigration Judge.

Your Rights and Responsibilities

You may choose to be represented (at no expense to the United States government) by counsel, authorized to practice in this proceeding. If you wish legal advice and cannot afford it, contact legal counsel from the list of available free legal services provided to you.

You must respond to the above charges in writing to the Service address provided below within ³⁰10 calendar days of service of this notice (or 13 calendar days if service is by mail). In your response you may: request, for good cause, an extension of time; rebut the charges stated above (with supporting evidence); request an opportunity to review the government's evidence; admit deportability; and/or designate the country to which you choose to be removed in the event that a final order of removal is issued (which designation the Service will honor only to the extent permitted under section 241 of the Act).

You may seek judicial review of any final administrative order by filing a petition for review within ³⁰14 calendar days after the date such final administrative order is issued, or you may waive such appeal by stating, in writing, your desire not to appeal.

Charles W. Zemski

Philadelphia, PA

(Signature and title of issuing officer)

(City and state of issuance)

(Date and time)

Certificate of Service

I served this Notice of Intent. I have determined that the person served with this document is the above named individual.

(Signature and title of officer)

(Date and manner of service)

I explained and/or served this Notice of Intent to the alien in the Fukinese language.

Name of Interpreter Brenda LAUS

Location/Employer I.N.S., New York, Interpreter, telephonically

I ACKNOWLEDGE THAT I HAVE RECEIVED THIS NOTICE OF INTENT TO ISSUE A FINAL ADMINISTRATIVE REMOVAL ORDER

JIANG DIANG DONG
(Signature of respondent)

4-21-00, 12:00
(Date and Time)

☐ Alien refused to acknowledge receipt of this document.

Patricia Lieb, Special Agent
(Signature and Title of Officer)

4-21-00, 12:00
(Date and Time)

I WISH TO CONTEST

I contest my deportability because: *(Attach any supporting documentation):*

- ☐ I am a citizen or national of the United States.
☐ I am a lawful permanent resident of the United States.
☐ I was not convicted of the criminal offense described in allegation number 6 above.
☒ I am attaching documents in support of my rebuttal and request for further review. *will send by mail, within 13 days.*

DONG J
(Signature of Respondent)

Jiang Diang DONG
(Printed Name of Respondent)

4-21-00 12:15
(Date and Time)

I DO NOT WISH TO CONTEST:

☐ I admit the allegations and charge in this Notice of Intent. I admit that I am deportable and acknowledge that I am not eligible for any form of relief from removal. I waive my right to rebut and contest the above charges and my right to file a petition for review of the Final Removal Order. I wish to be deported to _____.

☐ I also waive the 14 day period of execution of the Final Removal Order.

(Signature of Respondent)

(Printed Name of Respondent)

(Date and Time)

(Signature of Witness)

(Printed Name of Witness)

(Date and Time)

RETURN THIS FORM TO:

**United States Department of Justice
Immigration and Naturalization Service**

1600 Callowhill Street, Room 500
Philadelphia, PA 19130

ATTENTION: Special Agent Patricia Lieb